

Applicants: Schaepe et al.
Serial No.: 10/687,477
Filing Date: October 15, 2003
Docket No.: DEF-001

REMARKS

Reconsideration and allowance is respectfully requested.

Before entry of this amendment, claims 1-32 were pending. In the Office Action, claims 1-32 were rejected. In the present amendment, claims 14-17 are cancelled, claims 1, 8, 13, 18 and 30-31 are amended and claims 33-36 are added. After entry of the amendment, claims 1-13 and 18-36 are pending.

I. Section 112 Rejection of Claims 1, 14, 17-18, and 30-31

Claims 1, 14, 17-18, and 30-31 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing particularly to point out and distinctly to claim the subject matter of the invention. (Office Action, p. 2, lines 15-17) The Examiner states that insufficient descriptive detail is provided for the following terms in claims 1, 18, 30 and 31: data object network, data unit network, class object network, class unit network, algorithm object network and algorithm unit network. Claim 30 has been amended to eliminate the use of the terms data unit network, class unit network and algorithm unit network.

The terms data object network, class object network and algorithm as used in claims 1, 18 and 30-31 are not indefinite. Sufficient descriptive detail is provided in the specification and drawings. An example of a "data object network" is depicted as item 4 in figure 3. This example of a "data object network" is referred to in paragraph [0031] of the specification. Examples of "class object networks" are depicted as item 7 in figures 3 and 4. These examples of "data object networks" are referred to in paragraphs [0032] and [0034] of the specification. Examples of algorithms are depicted as item 11 in figures 4 and 6. The specification mentions at least two examples of algorithms: a classification algorithm and a segmentation algorithm. The algorithm "classification" is depicted in figure 6 and is mentioned in paragraph [0037] of the specification. The algorithm "multiresolution segmentation" is depicted in figure 6

Applicants: Schaepe et al.
Serial No.: 10/687,477
Filing Date: October 15, 2003
Docket No.: DEF-001

and is mentioned in paragraphs [0030] and [0037] of the specification. For these reasons, reconsideration of the § 112 rejection and allowance of claims 1, 18, 30 and 31 is requested.

Claims 14-17 are cancelled.

II. Section 101 Rejection of Claims 1, 18 and 30-31

Claims 1, 18 and 30-31 are rejected under 35 U.S.C. § 101 being directed to non-statutory subject matter. (Office Action, p. 3, line 14-15.) The Examiner states that the use of a computer has not been indicated in claims 1, 18 and 30-31. Each of claims 1, 18 and 30-31 has been amended to recite a computer or computers. Therefore, reconsideration of the § 101 rejection and allowance of claims 1, 18, 30 and 31 is requested.

III. Section 102 Rejection of Claims 1-20

Claims 1-32 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bergan et al. (USP 6,944,603) (Office Action, p. 4, lines 20-22).

A. Independent claims 1, 30 and 31

Each of claims 1, 30 and 31 recites digital image data. Claim 1 as amended recites, "A method for extracting information from digital image data . . . defining a data object network by selecting a plurality of semantic units from said digital image data". Claim 30 as amended recites, "said semantic units comprise digital image data". Claim 31 as amended recites, "A system for extracting information from digital image data . . . wherein said semantic cognition network uses a set of algorithms to process said digital image data".

Bergan does not form the basis for a valid rejection under § 102(e) because Bergan does not disclose all of the limitations of claims 1, 30 or 31. Specifically, Bergan does not disclose digital image data. The semantic network generator of Bergan is directed only to language. The system of Bergan operates on textual information and natural language, as opposed to digital

Applicants: Schaepe et al.
Serial No.: 10/687,477
Filing Date: October 15, 2003
Docket No.: DEF-001

image data. The semantic units of Bergan are directed to words, sentences and paragraphs:

"Semantic units: A semantic unit is a set that contains one or several pieces of information. It may be represented by a word, an object, a relation, an attribute, a combination of words and/or objects and/or relations and/or attributes and/or modules, a (hierarchical) network of words and/or objects and/or relations and/or attributes and/or modules, a part of a sentence or a whole sentence, a part of a paragraph or a whole paragraph, or a part of a story or a whole story." (Bergan, col. 6, lines 6-13) (emphasis added)

The input string 12 into the semantic network generator 17 of Bergan consists of text. Bergan states:

"The present invention concerns the conversion of an input string or input text into an input network that has a fractal semantic structure." (Bergan, col. 2, lines 63-65) (emphasis added)

"The herein proposed schemes and systems are based on the above-described special model of textual information and natural language. According to this model, natural language as well as textual information consists of semantic units which are grouped at different levels of hierarchy and are all of a similar type." (Bergan, col. 7, lines 60-65) (emphasis added)

"The ESG parser processes an input string 12 and yields a parse structure with slot information for each sentence of the input string 12. In addition, a variety of miscellaneous syntactic and semantic information is added to each word of the input string 12." (Bergan, col. 7, lines 60-65) (emphasis added)

"According to the present invention, a fractal semantic network generator 17 is defined that creates a fractal network of semantic units (referred to as a fractal semantic network), where the semantic units are derived from the individual words, from the semantic information, and from the syntactic information." (Bergan, col. 9, lines 45-50) (emphasis added)

Thus, the system of Bergan operates on textual information, and Bergan does not disclose digital image data. Because Bergan does not disclose all of the

Applicants: Schaepe et al.
Serial No.: 10/687,477
Filing Date: October 15, 2003
Docket No.: DEF-001

elements of claims 1, 30 or 31, reconsideration of the § 102(e) rejection and allowance of claims 1, 30 and 31 are requested.

B. Dependent claims 2-13

Claims 2-13 depend directly or indirectly from claim 1 and are allowable for at least the same reasons for which claim 1 is allowable. Reconsideration of the § 102(e) rejection and allowance of claims 2-13 are requested.

C. Dependent claim 32

Claim 32 depends from claim 31 and is allowable for at least the same reasons for which claim 31 is allowable. Reconsideration of the § 102(e) rejection and allowance of claim 31 are requested.

D. Independent claim 18

Claim 18 recites, "defining a processing object in said processing object network by selecting a data domain in said data object network, a class domain in said class object network and an algorithm from said set of algorithms, said processing object comprising said data domain, said class domain and said algorithm". Bergan does not disclose a processing object comprising a data domain, a class domain and an algorithm.

Although Bergan does disclose a "processing module", the processing module of Bergan is not a processing object as recited by claim 18. Bergan discloses a processing module 7, which is part of semantic network generator 17, in figure 3 of Bergan. Processing module 7 is a module and not an object. Processing module 7 converts a tree-structured network 21 into a fractal semantic network 22. (Bergan, col. 8, lines 31-34) Processing module 7 of Bergan is not an object and does not comprise either a data domain or a class domain. Because Bergan does not disclose all of the elements of claim 18, reconsideration of the § 102(e) rejection and allowance of claim 18 are requested.

Applicants: Schaepe et al.
Serial No.: 10/687,477
Filing Date: October 15, 2003
Docket No.: DEF-001

E. Dependent claims 19-29

Claims 19-29 depend directly or indirectly from claim 18 and are allowable for at least the same reasons for which claim 18 is allowable. Reconsideration of the § 102(e) rejection and allowance of claims 19-29 are requested.


IV. New claims 33-36

Applicants are adding new dependent claims 33-36, each of which is supported by the specification and allowable over Bergan.

V. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the entire application (claims 1-13 and 18-36 are pending) is in condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner would like to discuss any aspect of this application, the Examiner is requested to contact the undersigned at (925) 621-2121.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By 
Darien K. Wallace

Date of Deposit: June 9, 2006

Respectfully submitted,



Darien K. Wallace
Attorney for Applicants
Reg. No. 53,736
Customer No. 47,713